

Wetlands Bureau Decision Report

Decisions Taken
04/18/2011 to 04/24/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-00396 AW TOWNE REALTY TRUST
EPSOM Unnamed Wetland Unnamed Stream

Requested Action:

Proposal to dredge and fill 18,197 sq. ft. of wetlands and associated streams for access to a proposed 25-lot residential subdivision. Compensatory Mitigation is in the form of a one time payment to the DES Aquatic Resource Mitigation (ARM) Fund.

Conservation Commission/Staff Comments:

ARM Fund payment due 3/8/2010.

DENY PERMIT:

Deny proposal to dredge and fill 18,197 sq. ft. of wetlands and associated streams for access to a proposed 25-lot residential subdivision. Compensatory Mitigation is in the form of a one time payment to the DES Aquatic Resource Mitigation (ARM) Fund.

With Findings:

Standards for Approval:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate
2. Pursuant to Env-Wt 302.03(b), "For all permanent impacts that will remain after avoidance and minimization measures have been addressed, the applicant shall submit a compensatory mitigation proposal in accordance with Chapter Env-Wt 800..."
3. Pursuant to Env-Wt 806.05(a), "...a project for which the department has notified the applicant of the acceptance of a proposed in-lieu payment as specified in Env-Wt 803.08(c), the department shall not issue the permit until the applicant has paid the full amount of the in-lieu fee payment as specified in the notice".
4. Pursuant to Env-Wt 806.05(b), "If the applicant does not pay the full amount of the in-lieu fee payment within 120 days of the date of the notice, the department shall deny the application".

Findings of Fact:

5. On March 6, 2009 DES received an application to dredge and fill 18,197 sq. ft. of wetlands and associated streams for access to a proposed 25-lot residential subdivision. Compensatory Mitigation proposed a one time payment to the DES Aquatic Resource Mitigation (ARM) Fund.
6. On November 4, 2009 DES issued an approval notice for the proposed project which notified the applicant of acceptance of an ARM Fund payment. Condition #2 of the approval notice stated that, "This approval is contingent on receipt by DES of a one time payment of \$77,891.50 dollars to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days from the date of this approval letter (by March 8, 2010), or the application will be denied".
7. On February 5, 2010 DES received a request for a waiver of the ARM Fund payment "due to the necessary review needed by the Town of Epsom.
8. In the February 18, 2010 DES decision, the waiver was deemed acceptable with the condition that "the ARM Fund payment shall be submitted no later than June 7, 2010".
9. On September 2, 2010 the applicant's agent noted the applicant has not resolved issues with the local approvals and provided the administrative fee for a second extension to the final ARM Fund payment.
10. As of January 29, 2008 DES has not received the required ARM Fund payment.

Ruling in Support of Denial:

11. DES did not receive the ARM Fund payment within the required 120 days or according to a granted waiver to the 120 day deadline and therefore the application has been denied.

2010-00997 LAHOUT, HERBERT
LITTLETON Unnamed Wetland

Requested Action:

Dredge and fill 8,910 square feet of palustrine forested wetlands to construct a new road that will serve 7 multi-family residential buildings; and retain 15,453 square feet of previously filled palustrine forested/scrub-shrub wetlands (after-the-fact) for an existing residential development consisting of 12 multi-family buildings and access road (Joe Lahout Lane). In addition, 11,610 square feet of previously impacted forested wetlands will be restored by removing fill and replanting/reseeding the area. Mitigate impacts by submitting a one-time payment of \$80,986.52 into the DES Aquatic Resource Mitigation (ARM) Fund.

Conservation Commission/Staff Comments:

This project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund. The ARM payment calculated for the proposed wetland loss equals \$80,986.52.

The DES decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Rule Env-Wt 803.08(f). The payment into the ARM fund shall be deposited in the DES fund for the "Connecticut-Johns River to Waits River" watershed account per RSA 482-A:29.

APPROVE PERMIT:

Dredge and fill 8,910 square feet of palustrine forested wetlands to construct a new road that will serve 7 multi-family residential buildings; and retain 15,453 square feet of previously filled palustrine forested/scrub-shrub wetlands (after-the-fact) for an existing residential development consisting of 12 multi-family buildings and access road (Joe Lahout Lane). In addition, 11,610 square feet of previously impacted forested wetlands will be restored by removing fill and replanting/reseeding the area. Mitigate impacts by submitting a one-time payment of \$80,986.52 into the DES Aquatic Resource Mitigation (ARM) Fund.

With Conditions:

1. All work shall be in accordance with revised plans by Horizons Engineering, LLC dated March 2011, as received by the NH Department of Environmental Services (DES) on March 31, 2011.
2. This approval is contingent on receipt by DES of a one-time payment of \$80,986.52 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

RESTORATION CONDITIONS:

14. This permit is contingent upon the restoration of 11,610 square feet of previously filled wetlands in accordance with plans received by DES on March 31, 2011.
15. The schedule for construction of the wetland restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
16. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
17. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
18. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
19. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(c), as wetland impacts are greater than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
6. The ARM payment calculated for the proposed wetland loss equals \$80,986.52.
7. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Rule Env-Wt 803.08(f).
8. The payment into the ARM fund shall be deposited in the DES fund for the "Connecticut-Johns River to Waits River" watershed account per RSA 482-A:29.
9. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

2010-02473 BOW, TOWN OF
BOW Unnamed Wetland Center Brook

Requested Action:

Proposal to temporarily impact of 350 sq. ft. of streambed and associated scrub-shrub and forested wetlands (Bow Prime Wetland #35) to replace a 36 in. x 40 ft. CMP culvert with a 5 ft. high x 6 ft. wide x 40 ft. run box culvert embedded with 1 ft. of natural stream bed materials, creation of inlet and outlet stream channel, associated headwalls, grading, outlet protection and new roadway paving.

APPROVE PERMIT:

Dredge and fill 350 sq. ft. of streambed and associated scrub-shrub and forested wetlands (Bow Prime Wetland #35) to replace a 36 in. x 40 ft. CMP culvert with a 5 ft. high x 6 ft. wide x 40 ft. run box culvert embedded with 1 ft. of natural stream bed materials, creation of inlet and outlet stream channel, associated headwalls, grading, outlet protection and new roadway paving.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc., revision date September 13, 2010 and narratives as received by the NH Department of Environmental Services (DES) on September 16, 2010 and narratives received by DES on March 21, 2011.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property or within 20 feet of their property. Copies shall be supplied to DES Wetlands Bureau File No. 2010-02473 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, depict all temporary impacts and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Work shall be done during low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap. Any approved outlet protection rip-rap shall be incorporated with rounded stone or natural streambed materials.
10. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15 and Administrative Rule Env-Wt 903.01(g).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Town of Bow appropriated the funding for the crossing replacement in March 2010 and the request for proposals was issued on March 23, 2010.
6. The existing stream rules became effective on May 12, 2010 and May 25, 2010.
7. The replacement design was conducted in accordance with Administrative Rule Env-Wt 904.04 to the maximum extent practicable.
8. The crossing was designed in accordance with Administrative Rule Env-Wt 904.01
9. A New Hampshire Licensed Professional Engineer conducted a hydrological analysis of the existing conditions and proposed replacement.
10. The existing culvert has failed during previous flood events.
11. If there were no adjacent prime wetlands the project would have been classified as a Tier 2 culvert replacement per Env-Wt 904.03.
12. The proposed crossing will replace an undersized 36 inch diameter culvert with a 6 foot wide x 5 foot high embedded box culvert that will now freely pass the 50-year storm event and will not overtop the roadway under the 500-year storm event.
13. The new box culvert will include a natural stream bed construction and improve watercourse conductivity and aquatic organism passage.
14. The Bow Conservation Commission submitted comments, dated September 9, 2010, indicating that they have no concerns and believe the proposal is the best option for this location.
15. The applicant requested a waiver for the proposed roadway work (repaving) within the 100 foot prime wetland buffer per RSA 482-A:11, IV.(c).
16. The municipality is the applicant and the direct abutters have provided written permission and all abutters were notified of the project per certified mail.
17. DES has not received any abutter or public comments in objection to the proposed project.
18. The applicant has provided permission from the adjacent landowners.
19. The applicant addressed the criteria for approval for the work within prime wetlands per Administrative Rule Env-Wt 703.01(b).
20. Effective September 11, 2009, RSA 482-A:11 IV.(a) was amended to require a public hearing only if deemed necessary by the department per RSA 482-A:8.
21. The department has determined that a hearing is not necessary based on findings #1 through #19.
22. Consistent with RSA 482-A:11 IV, DES has approved the waiver request because there will be no significant net loss of wetland values as identified in subparagraph(b)(1)(C) and RSA 482-A:1.
23. Based on findings #1 through #22 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2010-03011 PSNH
MERRIMACK Unnamed Wetland

Requested Action:

PSNH proposes utility upgrades to an existing transmission line and installation of power poles within the existing right-of-way to cross the Merrimack River in Litchfield to connect two new electrical power substations in the town of Merrimack. The impacts per town are as follows:

Merrimack: Fill 36,160 sq.ft. of palustrine scrub-shrub wetlands and forested wetlands for the construction of the Eagle Transmission and Thornton Distribution substations.

Litchfield: Fill 2 sq.ft. of palustrine scrub-shrub and emergent wetlands for pole installation, 1,805 sq.ft. of temporary impact for access, and 7,087 sq.ft. of impact from timber harvesting for a proposed transmission line along the south side of the existing ROW.

Compensatory mitigation is in the form of a one-time payment of \$164,305.01 for the purchase of four parcels of land for a total of 27 acres in the Merrimack Wellhead Protection Area.

APPROVE PERMIT:

PSNH proposes utility upgrades to an existing transmission line and installation of power poles within the existing right-of-way to cross the Merrimack River in Litchfield to connect two new electrical power substations in the town of Merrimack. The impacts per town are as follows:

Merrimack: Fill 36,160 sq.ft. of palustrine scrub-shrub wetlands and forested wetlands for the construction of the Eagle Transmission and Thornton Distribution substations.

Litchfield: Fill 2 sq.ft. of palustrine scrub-shrub and emergent wetlands for pole installation, 1,805 sq.ft. of temporary impact for access, and 7,087 sq.ft. of impact from timber harvesting for a proposed transmission line along the south side of the existing ROW.

Compensatory mitigation is in the form of a one-time payment of \$164,305.01 for the purchase of four parcels of land for a total of 27 acres in the Merrimack Wellhead Protection Area.

With Conditions:

1. All work shall be in accordance with plans by AI Engineering, Inc., dated October 22, 2010, as received by the DES Wetlands Bureau on October 29, 2010, and plans by GZA Geo Environmental Inc., dated February 2011, as received by the DES Wetlands Bureau on February 16, 2011, and plans by Public Service of New Hampshire dated January 07, 2010, as received by the DES Wetlands Bureau on February 16, 2011.
2. Easements shall be obtained and recorded at the registry of deeds prior to the commencement of construction.
3. Easements shall be obtained from Boston & Maine Railroad for the at-grade crossing for the access road.
4. All activity shall be in accordance with the current Comprehensive Shoreland Protection Act.
5. This approval is contingent on approval by the DES Alteration of Terrain Program.
6. Any future work in the utility right-of-way that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. No tree cutting shall occur after April 15.
8. Site clearing and construction activities shall not take place prior to June 1 to minimize impact to potential hognose snakes in the area.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
11. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
15. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Silt fencing must be removed once the area is stabilized.
19. All temporary impacts to wetland shall be regraded to original contours and stabilized within 72 hours following the completion

of work and 30 days of the start of work.

20. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands.
22. Faulty equipment shall be repaired prior to entering wetlands.
23. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
24. All refueling of equipment shall occur 100 feet away from surface waters or wetlands during construction.
25. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
26. The qualified professional shall submit a final monitoring report of the project noting the status of the erosion control measures, buffer plantings, restoration areas and color photographs of work areas and areas recently restored.
27. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.
28. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
29. Mulch within the restoration areas shall be straw or seedless hay.
30. Seed mix within the restoration areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.
31. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
32. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
33. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
34. The proposed landscape buffer at the north end of the property shall be planted and monitored for mortality within the first three growing seasons after planted and shall be replanted if necessary.
35. A new grassland area, approximately 1500 square feet, to offset the impact of the proposed buffer shall be planted and monitored for mortality within the first three growing seasons after planted and shall be replanted if necessary.
36. This approval is contingent on a one time payment of \$164,305.01 for the purchase of four parcels of land noted in Merrimack tax maps as parcels 3C/043, 3C/043-1, 3C/043-2 and 3C/044-1. The payment shall be received within 120 days of the date of the approval letter or the application will be denied.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet.
2. The applicant has minimized wetlands impacts to the greatest extent practicable by proposing the substations in disturbed wetlands and to work within existing right-of-way.
3. Best Management Practices outlined in the "New England Power Company Environmental Guidance 303" will be utilized to minimize wetlands impacts.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has responded to issues raised by the Lower Merrimack River Local Advisory Committee.
6. Per Env-Wt 501.01, notification of abutters is not required for projects in utility rights-of-way.
7. Swamp maps will be deployed to facilitate access and construction and will not be deployed simultaneously along the entire length of the transmission line. Swamp mats will be removed after work at each location is completed.

8. The use of swamp mats will minimize the potential adverse effects during construction, such as soil rutting and compaction, and vegetation root disturbance. Although the mats will temporarily "bend over" or "mat down" the existing vegetation, soil compaction and the effect on existing vegetation will be minimal since the mats will protect the root and seed stock, thereby allowing the wetlands to naturally revegetate during the following growing season.
9. This permit is contingent on thorough inspection of swamp mats for vegetative matter.
10. Following work completion and mat removal, the temporarily disturbed areas will be mulched and the applicant will inspect the right-of-way to ensure that appropriate conditions exist for wetland vegetation to re-establish. If deemed necessary, a wetland seed mix (containing seeds of native wetland species) will be applied to the disturbed areas to facilitate revegetation.
11. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.
12. The transmission line traverses several areas of occurrences of endangered or threatened plant and animal species recorded with the NH Natural Heritage Bureau. The NH Natural Heritage Bureau's comments suggest that the proposed project will have no direct impacts on the documented occurrences of protected plant communities.
13. The applicant has incorporated provisions for potential migratory birds and hognose snake and grasshopper sparrow habitat which is acceptable to the Nongame and Endangered Wildlife Program of the NH Fish and Game Department and the U.S. Fish and Wildlife Service. Potential impacts the Brook Floater habitat is not a concern.
14. The project has received a Comprehensive Shoreland Protection Act permit for work associated within the 250' buffer.
15. The Merrimack Conservation Commission supports the proposed project. No comments were submitted by the Litchfield Conservation Commission.
16. The applicant has reviewed on-site options for mitigation and the department has determined that the mitigation for this project includes the purchase of land in the Wellhead Protection Area. The Town will provide funds to complete the purchase from the LUCT conservation fund.
17. The four parcels to be purchased as mitigation abut an 80 acre conservation area and an additional 25 acre conservation area at the outlet of Greens Pond and this is the last remaining open space parcel around Greens Pond.
18. The payment calculated for the proposed wetland loss equals \$164,305.01.
19. The Department decision is issued in letter form and upon receipt of the transfer of funds for the purchase, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
20. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
21. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
22. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

2010-03088

LEFEBVRE, DAVID

HAMPTON Unnamed Wetland Tide Mill Creek

Requested Action:

Impact a total of 1,350 sq. ft. within DES jurisdiction to include 718 sq. ft. of impact within the bank adjacent to the salt marsh to stabilize the eroding bank with a rip rap revetment and install 540 sq. ft. of pervious pavers within the previously disturbed 100-foot tidal buffer zone.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of the wetlands permit..."

APPROVE PERMIT:

Impact a total of 1,350 sq. ft. within DES jurisdiction to include 718 sq. ft. of impact within the bank adjacent to the salt marsh to stabilize the eroding bank with a rip rap revetment and install 540 sq. ft. of pervious pavers within the previously disturbed 100-foot tidal buffer zone.

With Conditions:

1. All work shall be in accordance with the "Wetland/Shoreland Plans" (Sheet C-1) by Nobis Engineering, Inc. dated September 21, 2010 and revised through 4/12/11, as received by the NH Department of Environmental Services (DES) on April 18, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Southeast Region Staff shall be notified in writing prior to commencement of work and upon its completion.
4. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Work shall on the rip rap revetment shall be done during low tide only.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. No more than 50% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(b) Projects within 100 feet of the highest observable tide line that alter any bank, flat, wetlands, surface water, or undeveloped uplands, except for repair of existing structures pursuant to Env-Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 8/30/10 (the "Memo") from the NH Natural Heritage Bureau ("NHB") identified several natural communities and six (6) vertebrate species within the vicinity of the project.
6. The NH Fish and Game, Nongame and Endangered Species Program does not "expect impacts to any of the above named species..."
7. The applicant received written concurrence from the following abutters of Hampton Tax Map 273 Lot 11-1, 11-2, 13-1 and 13-2 for those impacts within 20-feet of the their property boundaries in accordance with Env-Wt 304.04(a).
8. DES finds that the applicant's proposal considered and satisfied Env-Wt 404.04(a).
9. No Federal agencies commented on the project.
10. The [Hampton] Conservation Commission does not oppose the granting of the wetlands permit.
11. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

2011-00324 TOWN OF SANBORNTON
SANBORNTON Tributary To Durkee Brook

Requested Action:

Reconstruct approximately 3 miles of Bay Rd. and Upper Bay Rd., install underdrain, closed drainage, maintenance and construction of roadside ditches, replace twin 36 in. culverts with a 6 ft. wide x 30 ft. long precast open bottom culvert at two locations and replace cross culverts and driveway culverts impacting 7,447 sq. ft. (1,957 sq. ft. temporary) of palustrine and riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no commente

APPROVE PERMIT:

Reconstruct approximately 3 miles of Bay Rd. and Upper Bay Rd., install underdrain, closed drainage, maintenance and construction of roadside ditches, replace twin 36 in. culverts with a 6 ft. wide x 30 ft. long precast open bottom culvert at two locations and replace cross culverts and driveway culverts impacting 7,447 sq. ft. (1,957 sq. ft. temporary) of palustrine and riverine wetlands.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Assoc. Inc. dated 1/27/11 as received by DES on Feb. 7, 2011.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners for work in jurisdiction on their property.
3. This permit is contingent upon the submission of a project specific stream diversion and erosion control plan and construction sequence to the DES Wetlands Bureau at least 10 working days in advance of the meeting to be held as required by the following permit condition. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented along the project.
4. Work shall be done during low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap. Any approved outlet protection rip-rap shall be incorporated with rounded stone or natural streambed materials.
10. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. At least 48 hours prior to the start of a construction contract, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the NHDES Office in Concord, N.H. to review the conditions of this wetlands permit.
20. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day

notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.

21. There shall be no further alteration of wetlands or surface waters without amendment of this permit.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15 and Administrative Rule Env-Wt 903.01(g).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing stream rules became effective on May 12, 2010 and May 25, 2010.
6. The culvert replacement designs were conducted in accordance with Administrative Rule Env-Wt 904.04 to the maximum extent practicable.
7. The crossings were designed in accordance with Administrative Rule Env-Wt 904.01.
8. A New Hampshire Licensed Professional Engineer conducted a hydrological analysis of the existing conditions and proposed replacement.
9. There is no apparent history of the existing culverts failing during flood events.
10. The new bottomless culverts will include a natural stream bed construction and improve watercourse conductivity and aquatic organism passage.
11. The applicant requested a waiver for the proposed roadway work (repaving) within the 100 foot prime wetland buffer per RSA 482-A:11, IV.(c).
12. DES has not received any abutter or public comments in objection to the proposed project.
13. Effective September 11, 2009, RSA 482-A:11 IV.(a) was amended to require a public hearing only if deemed necessary by the department per RSA 482-A:8.
14. Field inspection by Wetlands Bureau staff has determined the project will have no detrimental effect on the functions and values identified for the purposes of the Designation of the Chapman Brook Wetland as a Prime Wetland and therefore will have no significant loss of value.
15. The replacement culverts for Durkee Brook will convey a 100 yr. storm requirement and provide a natural stream bottom improving wildlife movement.
16. The department has determined that a hearing is not necessary based on findings #1 through #15.
17. Consistent with RSA 482-A:11 IV, DES has approved the waiver request because there will be no significant net loss of wetland values as identified in subparagraph(b)(1)(C) and RSA 482-A:1.
18. Based on findings #1 through #17 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

MINOR IMPACT PROJECT

2007-01606 AICHINGER, BARBARA
GILFORD Lake Winnepesaukee

Requested Action:

Applicant requests that the permit be amended to include the installation of a seasonal canopy.

APPROVE AMENDMENT:

Amend permit to read: Construct two 6 ft x 35 ft piling piers connected by a 6 ft x 12 ft walkway in a "U" configuration with 4

tie-off pilings, a seasonal boatlift, 14 ft x 30 ft seasonal canopy, and 2 personal watercraft lifts protected by two 3-piling ice clusters on an average of 152 ft of frontage on Governor's Island, Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised April 4, 2011, as received by DES on April 4, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
7. No portion of the piers shall extend more than 35 feet from the shoreline at full lake elevation.
8. Support piles shall be spaced a minimum of 12 ft apart as measured center to center.
9. Steps for access to the docking facility shall be constructed over the bank and shall not require excavation or regrading beyond that necessary to set support posts.
10. There shall be no alteration of the bank associated with the construction of the docking facility.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip permanent pier.
2. The need for the proposed impacts has been demonstrated by the Applicant per Env-Wt 302.01.
3. The Applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The Applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Applicant has an average of 152 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
8. This property meets the minimum fetch requirements of Rule Env-Wt 402.05.
9. The Applicant has submitted a statement that there is currently are not plans for construction of structures other than the docking facility on this lot.

2009-02231

PATENAUDE, WAYNE

HENNIKER Unnamed Wetland

Requested Action:

Retain $\pm 10,048$ sq. ft. of wetlands and ± 121 lin. ft. of intermittent stream impact, restore $\pm 5,625$ sq. ft. wetlands and 11 lin. ft. of intermittent stream impact, and dredge and fill ± 436 sq. ft. of wetlands and 50 lin. ft. of intermittent stream for gravel pit access road construction. Replace a 7-ft. steel pipe with an 8-ft. 5-ft. box culvert at the Amey Brook multiple culvert crossing. The project also includes non-jurisdictional bridge construction over Amey Brook (the bridge will completely span the bed and banks of Amey Brook). Preserve ± 36.82 acres in Henniker, NH (Tax Map/Lot 1/98).

APPROVE PERMIT:

Retain $\pm 10,048$ sq. ft. of wetlands and ± 121 lin. ft. of intermittent stream impact, restore $\pm 5,625$ sq. ft. wetlands and 11 lin. ft. of intermittent stream impact, and dredge and fill ± 436 sq. ft. of wetlands and 50 lin. ft. of intermittent stream for gravel pit access road construction. Replace a 7-ft. steel pipe with an 8-ft. 5-ft. box culvert at the Amey Brook multiple culvert crossing. The project also

includes non-jurisdictional bridge construction over Amey Brook (the bridge will completely span the bed and banks of Amey Brook). Preserve \pm 36.82 acres in Henniker, NH (Tax Map/Lot 1/98).

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering dated December 2010, including sheets 2 and 6 revised through March 16, 2010, as received by the DES Wetlands Bureau on March 18, 2011; and plans by McCourt Engineering Associates, PLLC, dated January 2010, including sheets 8 and 11 revised through March 17, 2011, and plans dated March 2011, as received by the DES Wetlands Bureau on March 18, 2011.
2. This permit is contingent on receipt by the NHFG Nongame and Endangered Species Program and the DES Wetlands Bureau of a deed restriction referencing a minimum 35-foot naturally vegetated buffer along Amey Brook for tax map/lot no.'s 1/103X and 102G.
3. This permit is contingent on receipt and approval by the NHFG Nongame and Endangered Species Program and the DES Wetlands Bureau of photographs documenting an established minimum 35-foot naturally vegetated buffer along Amey Brook for tax map/lot no.'s 1/103X and 102G.
4. This permit is contingent on approval by the DES Alteration of Terrain Program.
5. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than five (5) business days prior to construction.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland restoration:

14. This permit is contingent upon the restoration of 5,625 sq. ft. of wetlands and 11 lin. ft. of intermittent stream in accordance with plans received by DES on March 18, 2011.
15. The schedule for construction of the restoration area shall occur prior to or coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
16. The restoration area shall be properly constructed, monitored, and managed in accordance with approved restoration plans.
17. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
18. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the approved plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
19. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
21. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
22. Stream banks shall be restored to their original grades and to a stable condition within three days of completion of construction.

23. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
24. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
25. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

Wetland preservation:

26. This permit is contingent upon the execution of a conservation easement on 36.82 acres as depicted on plans received by DES on March 18, 2011.
27. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
28. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
29. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
30. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
31. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
32. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
33. A one-time payment for easement monitoring purposes to the conservation easement holder shall be provided upon granting of the conservation easement.
34. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of DES (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands and nontidal surface waters.
2. See related Wetlands and Non-Site Specific Permit 2008-02272.
3. A complaint for activities on this parcel was received by the DES Wetlands Bureau in September of 2009.
4. DES enforcement staff conducted a field inspection of the site on October 30, 2009.
5. The December 01, 2009, Letter of Deficiency instructed the applicant to, by January 15, 2010, submit an After-the-Fact Standard Dredge and Fill Application.
6. The Standard Dredge and Fill Application was received on March 02, 2010.
7. The Natural Heritage Bureau review documented the presence of wood turtle, a state species of concern, in the vicinity of the project.
8. In correspondence dated April 16, 2010, the Environmental Protection Agency (EPA) requested that all phases of development be included in the application, including a complete vernal pool survey and mitigation. The EPA also noted that comments regarding wood turtle are required from the NH Fish and Game Department (NHFG).
9. DES Wetlands Bureau permitting, NH Fish and Game Department and DES Alteration of Terrain Bureau staff conducted a second field inspection of the proposed project on May 06, 2010. The field inspection documented a partially permitted multiple culvert Amey Brook crossing.
10. In correspondence dated February 05, 2010, and May 10, 2010, and during the June 17, 2010, October 15, 2010 and February 16, 2011, meetings the NHFG Nongame and Endangered Wildlife Program recommended improvements to the multiple Amey Brook culvert crossing and recommended a naturally vegetated buffer is planted or allowed to revegetate along Amey Brook, as Amey Brook contains wild brook trout and wood turtle, a species of regional conservation concern.

11. The January 14, 2011, revised application included wetland and stream impacts and mitigation for all phases of the project. The original permit application for tax map/lot no.'s 1/102G & 103X was revised to include the next phase occurring on tax map/lot no. 1/98 and tax map/lot no. 1/44. Access to tax map/lot no. was approved under related Wetlands and Non-Site Specific 2008-02272.
12. In email correspondence dated March 15, 2011, NHFG indicated the 8-ft. x 5-ft. Amey Brook culvert replacement with the natural stone substrate and the 35-foot natural vegetation buffer should improve aquatic species passage and habitat.
13. This permit is contingent on receipt by the NHFG Nongame and Endangered Species Program and the DES Wetlands Bureau of a deed restriction referencing a minimum 35-foot naturally vegetated buffer along Amey Brook for tax map/lot no.'s 1/103X and 102G.
14. This permit is contingent on receipt by the NHFG Nongame and Endangered Species Program and the DES Wetlands Bureau of photographs documenting an established minimum 35-foot naturally vegetated buffer along Amey Brook for tax map/lot no.'s 1/103X and 102G.
15. This permit is contingent upon the execution of a conservation easement on 36.82 acres as depicted on plans received by DES on March 18, 2011.
16. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
17. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
18. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00457 MUELLER, ROBERT
ALTON Lake Winnepesaukee

Requested Action:

Dredge 11 cubic yards from 294 sq ft of lakebed and dug-in boathouse and repair 15 linear feet of existing retaining wall "in kind" on an average of 218 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Dredge 11 cubic yards from 294 sq ft of lakebed and dug-in boathouse and repair 15 linear feet of existing retaining wall "in kind" on an average of 218 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 22, 2010, as received by the NH Department of Environmental Services (DES) on March 07, 2011.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Dredged material shall not be placed within the protected shorelands.
6. Only existing rocks which have fallen from the retaining wall shall be used for repair. No rocks shall be added to the structures.
7. The repairs shall maintain the size, location, and configuration of the pre-existing structure.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.
2. A permission letter from the affected abutter was submitted for the proposed work within the 20 ft setback to the property line.

2011-00478

CHONGRIS, JAMES

RYE Parsons Creek

Requested Action:

Impact a total of 832 sq.ft. (425.5 sf permanent & 406.5 sf temporary construction impacts) within the previously disturbed upland tidal buffer zone to construct 12'x 24' garage, a stone infiltration trench and install permeable pavers adjacent to the existing dwelling on this lot.

Conservation Commission/Staff Comments:

No report or comments on this application were received from the Rye Conservation Commission.

Inspection Date: 03/25/2011 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 832 sq.ft. (425.5 sf permanent & 406.5 sf temporary construction impacts) within the previously disturbed upland tidal buffer zone to construct 12'x 24' garage, a stone infiltration trench and install permeable pavers adjacent to the existing dwelling on this lot.

With Conditions:

1. All work shall be in accordance with plans by Ross Engineering dated February 11, 2011, as received by the NH Department of Environmental Services (DES) on March 09, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a salt marsh.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 25, 2011. Field inspection determined this project will have no adverse impact on the adjacent tidal wetlands.

MINIMUM IMPACT PROJECT

2010-02981 TOWN OF KINGSTON
KINGSTON Unnamed Wetland

Requested Action:

Dredge and fill 1,840 square feet of forested wetland for the replacement of an existing 30-inch CMP culvert beneath North Road with a 5'x10'x50' box culvert to improve flow and provide safe vehicular passage.

Conservation Commission/Staff Comments:

The Kingston Selectmen's Office signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 1,840 square feet of forested wetland for the replacement of an existing 30-inch CMP culvert beneath North Road with a 5'x10'x50' box culvert to improve flow and provide safe vehicular passage.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management Inc. dated August 2010 and revised March 2011, as received by the NH Department of Environmental Services (DES) on March 30, 2011.
2. This permit is contingent upon the receipt of the 'Drainage Easement' for Kingston Tax Map 32 Lot 3 and Tax Map 31 Lot 22-K.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Unconfined work exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
12. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
13. No fill shall be done for lot development.
14. No fill shall take place in Atlantic white cedar swamps.
15. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 8/30/2010 from the NH Natural Heritage Bureau (the "Memo") identified one (1) vertebrate species within the vicinity of the project: Spotted Turtle (*Clemmys guttata*).
6. In response to the Memo, NH Fish and Game, Nongame and Endangered Species Program "finds the design for the North Rd., Kingston culvert acceptable as it will provide aquatic species passage opportunities for a variety of wildlife, including amphibians and the State threatened spotted turtle."

2010-03040 PORTSMOUTH COUNTRY CLUB
GREENLAND Great Bay

Requested Action:

Impact a total of 28,386 square feet of jurisdictional area to include: temporarily impact 14 square feet of tidal wetland and temporarily impact 962 square feet of previously developed 100-foot tidal buffer zone ("TBZ") to replace the existing culvert with a culvert equipped with a tide gate; Dredge 7,582 square feet of TBZ to enlarge an existing man-made pond on the north side of the 14th Fairway; and, Temporarily impact 544 square feet of palustrine emergent wetland to gain access to fill 3,700 square feet of an existing man-made pond on the south side of the 14th Fairway and dredge 15,029 square feet of palustrine emergent wetland to enlarge the same pond.

APPROVE PERMIT:

Impact a total of 28,386 square feet of jurisdictional area to include: temporarily impact 14 square feet of tidal wetland and temporarily impact 962 square feet of previously developed 100-foot tidal buffer zone ("TBZ") to replace the existing culvert with a culvert equipped with a tide gate; Dredge 7,582 square feet of TBZ to enlarge an existing man-made pond on the north side of the 14th Fairway; and, Temporarily impact 544 square feet of palustrine emergent wetland to gain access to fill 3,700 square feet of an existing man-made pond on the south side of the 14th Fairway and dredge 15,029 square feet of palustrine emergent wetland to enlarge the same pond.

With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc. dated October 2010 and revised 3/15/11, as received by the NH Department of Environmental Services (DES) on March 23, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Work shall on the culvert, tide gate and headwall shall be done during low tide only.
6. All other work shall be done during seasonal low flow conditions.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.

13. The impacts associated with the temporary work shall be remediated immediately following construction..
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands.
19. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. A memo dated 2/22/2010 (the "Memo") from the NH Natural Heritage Bureau ("NHB") identified one (1) exemplary natural community and one (1) plant species, Small Spike-rush (*Eleocharis parvula*) within the vicinity of the proposed project.
3. In response to the Memo NHB sent another memo and stated "NHB does not expect impacts to the small-spike [rush] or the exemplary high salt marsh community."
4. The United States Environmental Protection Agency determined that this project is eligible for the NH SPGP.
5. The Greenland Conservation Commission did not comment, in writing, on the project.
6. The project as approved and constructed in adherence to the provided construction sequence and erosion and siltation controls will offset impacts from any increased erosion created by construction.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) & (c) Requirements for Application Evaluation, has been considered in the design of the project.

2010-03310 YUSE, STEVEN
HAMPTON Unnamed Wetland Tide Mill Creek

Requested Action:

Impact a total of 1,200 square feet within the previously developed 100-foot tidal buffer zone to construct one (1) 20-foot x 30-foot (600 sq. ft.) single-family residential dwelling on each 3,000 square foot building lot.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of the wetlands permit..."

APPROVE PERMIT:

Impact a total of 1,200 square feet within the previously developed 100-foot tidal buffer zone to construct one (1) 20-foot x 30-foot (600 sq. ft.) single-family residential dwelling on each 3,000 square foot building lot.

With Conditions:

1. All work shall be in accordance with plans by Ernie J. Cote dated August 5, 2011, as received by the NH Department of Environmental Services (DES) on December 9, 2010.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

3. DES Southeast Region Staff shall be notified in writing prior to commencement of work and upon its completion.
4. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The grade on these two (2) lots shall not be changed.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 4/27/10 the NH Natural Heritage Bureau (the "Memo") identified six (6) exemplary natural communities within the vicinity of the project.
6. DES finds that non of the aforementioned communities identified in the Memo will be adversely affected as these sites are previously developed areas.
7. The applicant received written concurrence from the abutter whose property is withing 20-feet of the proposed impacts, pursuant to Env-Wt 304.04(a).

2010-03365 NESKEY, KELLY/SCOTT
SEABROOK Tidal Buffer Zone

Requested Action:

Impact a total of 1,175 square feet within the previously disturbed 100-foot tidal buffer zone to include the construction of a replacement dwelling 20-feet x 52-feet and 135 square feet of temporary impact associated with the connection of the water and sewer lines.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission did not comment on the application.

APPROVE PERMIT:

Impact a total of 1,175 square feet within the previously disturbed 100-foot tidal buffer zone to include the construction of a replacement dwelling 20-feet x 52-feet and 135 square feet of temporary impact associated with the connection of the water and sewer lines.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on December 15, 2010.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Southeast Region Staff shall be notified in writing prior to commencement of work and upon its completion.

4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 8/16/10 (the "Memo") from the NH Natural Heritage Bureau ("NHB") identified ten (10) exemplary natural communities and eleven (11) state-listed plant species in the vicinity of the proposed project.
6. DES finds that the aforementioned communities and plant species identified in the NHB Memo will not be adversely affect by the project as the dwelling is within the previously developed 100-foot tidal buffer zone.

2011-00418 STATE OF NEW HAMPSHIRE
NORTH HAMPTON Unnamed Wetland

Requested Action:

Retain 93 square feet of temporary impact to jurisdictional areas for the repair of a municipal water line break within the NHDOT right-of-way.

Conservation Commission/Staff Comments:

The North Hampton Conservation Commission did not comment of the application.

APPROVE AFTER THE FACT:

Retain 93 square feet of temporary impact to jurisdictional areas for the repair of a municipal water line break within the NHDOT right-of-way.

With Conditions:

1. All work shall be in accordance with plans by James Verra and Associates, Inc. received by the NH Department of Environmental Services (DES) on February 25, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04((af) Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way provided.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The North Hampton Conservation Commission did not comment on the application.
6. The application received written permission for the impacts within the right-of-way from NHDOT.

2011-00476
AMHERST

PSNH

Requested Action:

In-kind replacement of a broken utility pole.

CONFIRM EMERGENCY AUTHORIZATION:

In-kind replacement of a broken utility pole.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 304.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet,
2. The project was necessary to replace a broken utility pole on Stearns Road.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on March 9, 2011.
4. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2011-00553

PRESIDENT AND FELLOWS OF HARVARD COLLEGE

FRANCONIA Unnamed Wetland

Requested Action:

Dredge and fill 2,904 square feet of forested wetland for the construction of a driveway to access to a single family residence.

APPROVE PERMIT:

Dredge and fill 2,904 square feet of forested wetland for the construction of a driveway to access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Ray Lobdell entitled Proposed President & Fellows of Harvard College Inc. Proposed Driveway (Figure 3) as received by DES on April 20, 2011.
2. This permit is contingent upon the submission to DES of reasonable proof of ownership by the permittee.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The culverts shall be laid at original grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The transfer of the property ownership to the applicant is in progress and will be before construction.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.

FORESTRY NOTIFICATION

2010-02135 NH DRED
COLUMBIA Unnamed Stream

COMPLETE NOTIFICATION:
Columbia Tax Map 422, Lot# 14 & 15

2011-00784 GUTBERG, INGRID
JAFFREY Unnamed Stream

COMPLETE NOTIFICATION:
Jaffrey Tax Map 248, Lot# 15, 16

2011-00811 HALL, GLORIA
PELHAM Unnamed Stream

COMPLETE NOTIFICATION:
Pelham Tax Map 27, Lot# 2-82

2011-00812 RIX, WILLIAM
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield Tax Map 424, Lot# 42, 103, 107, 108

EXPEDITED MINIMUM

2011-00510 PORTSMOUTH DPW, CITY OF
PORTSMOUTH Unnamed Wetland

Requested Action:

Impact a total of 2,515 square feet of wetlands, including 1,580 square feet at Suzanne Drive, and 935 square feet at Mariette Drive, to replace existing, under-sized municipal stormwater outfalls with properly sized structures in the Maple Haven neighborhood.

APPROVE PERMIT:

Impact a total of 2,515 square feet of wetlands, including 1,580 square feet at Suzanne Drive, and 935 square feet at Mariette Drive, to replace existing, under-sized municipal stormwater outfalls with properly sized structures in the Maple Haven neighborhood.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering dated 2/21/2011, as received by the NH Department of Environmental Services (DES) on 3/14/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during periods of non- flow.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance or repair of existing structures such as a culvert or headwall. The change to a properly sized stormwater outlet pipe does not exceed the intent of repair of an existing structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Portsmouth Conservation Commission signed the expedited minimum impact application.

2011-00595 CAVALIERS COVE CONDO
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace existing pilings supporting a major docking facility on 100 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com submitted comments wondering whether Standard Dredge and Fill application would be required

APPROVE PERMIT:

Replace existing pilings supporting a major docking facility on 100 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated January 20, 2011, as received by the NH Department of Environmental Services (DES) on March 25, 2011.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-00613 COSTA, LINDA
PELHAM Unnamed Wetland

Requested Action:

Dredge and fill 942 sq. ft of palustrine forested wetland to construct a driveway and install a 15-inch by 28-foot ADS culvert for access to buildable uplands for a single family residential dwelling on approximately 6.94 acres.

Conservation Commission/Staff Comments:

The Pelham Conservation Commission signed the Minimum Expedited Application.

APPROVE PERMIT:

Dredge and fill 942 sq. ft of palustrine forested wetland to construct a driveway and install a 15-inch by 28-foot ADS culvert for access to buildable uplands for a single family residential dwelling on approximately 6.94 acres.

With Conditions:

1. All work shall be in accordance with the "Proposed Conditions Plans" by Edward N. Herbert Associates, Inc. dated February 2011, as received by the NH Department of Environmental Services (DES) on March 28, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.

9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00642 TED WEISS LAKEHOUSE TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Replace an existing 4 ft 6 in x 10 ft 10 in storage shed in kind, located shoreward on a existing 7.5 ft x 34 ft dock connected to a 8.5 ft x 34 ft dock by a 10 ft x 5 ft walkway in a "U" shaped configuration on Lake Winnepesaukee, Tuftonborough.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Replace an existing 4 ft 6 in x 10 ft 10 in storage shed in kind, located shoreward on a existing 7.5 ft x 34 ft dock connected to a 8.5 ft x 34 ft dock by a 10 ft x 5 ft walkway in a "U" shaped configuration on Lake Winnepesaukee, Tuftonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated February 10, 2011, and North Country Cad dated February 2011, as received by the NH Department of Environmental Services (DES) on March 30, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-00668 WOZMAK, RICHARD/DIANE
ALTON Lake Winnepesaukee

Requested Action:

Replace two tie off piles adjacent to a 34 linear ft of breakwater, in an "dogleg" configuration, with a 6 ft gap at the shoreline and a 4 ft x 36 ft cantilevered pier on an average of 100 ft of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Replace two tie off piles adjacent to a 34 linear ft of breakwater, in an "dogleg" configuration, with a 6 ft gap at the shoreline and a 4 ft x 36 ft cantilevered pier on an average of 100 ft of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated March 21, 2011, as received by the NH Department of Environmental Services (DES) on April 01, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-00709 SPINOSA, RAYMOND
LACONIA Lake Winnepesaukee

Requested Action:

Install a 4 ft x 34 ft seasonal dock with a 4 ft x 6 ft concrete pad installed "over the bank" with no excavation, on 50 ft of frontage, Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com requests current photographs

APPROVE PERMIT:

Install a 4 ft x 34 ft seasonal dock with a 4 ft x 6 ft concrete pad installed "over the bank" with no excavation, on 50 ft of frontage, Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on April 07, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit is valid with a valid lease from NH DOT for the frontage.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 34 feet from the shoreline at full lake elevation.
7. There shall be no excavation of the bank to install the concrete anchor pad.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.
2. The applicant submitted a lease from NH DOT for the frontage.

2011-00717 TAYLOR, ABIGAIL/JOHN
RYE Tidal Buffer Zone

Requested Action:

Impact 2,192 square feet of previously disturbed 100-foot tidal buffer zone to modify the existing single family residential dwelling by constructing two (2) additions and replace the existing, antiquated septic system with a modern septic system.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 2,192 square feet of previously disturbed 100-foot tidal buffer zone to modify the existing single family residential dwelling by constructing two (2) additions and replace the existing, antiquated septic system with a modern septic system.

With Conditions:

1. All work shall be in accordance with plans by MSC Civil Engineering & Land Surveyors, Inc. dated March 7, 2011, as received by the NH Department of Environmental Services (DES) on April 7, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.

8. No fill shall be done for lot development.

9. No fill shall take place in Atlantic white cedar swamps.

10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line

unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2011-00797 SICELY, JOSEPH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00798 OHARA, JAMES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
CC Bath ConCom.

2011-00819 SHORTSLEEVE, DAVID
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00820 KEMBLE JR, LESTER
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2011-00800 EASTON, THOMAS
SPOFFORD Spofford Lake

COMPLETE NOTIFICATION:
Spofford Tax Map 703, Lot# 1-22 Spofford Lake

2011-00818 FORD, KATHERINE
NEW DURHAM Marches Pond

COMPLETE NOTIFICATION:
New Durham Tax Map 235, Lot# 44 Marches Pond

2011-00833 ROMANO JR, JOSEPH/CHRISTINE
STRAFFORD Wild Goose Pond

COMPLETE NOTIFICATION:
Strafford Tax Map 21, Lot# 10 Wild Goose Pond

2011-00834 GOSS, TODD/TRACY
HILLSBOROUGH Franklin Pierce Lake

COMPLETE NOTIFICATION:
Hillsboro Tax Map 21, lot# 12 Franklin Pierce Lake

ROADWAY MAINTENANCE NOTIF

2011-00813 NH DEPT OF TRANSPORTATION
JEFFERSON Unnamed Wetland

2011-00814 NH DEPT OF TRANSPORTATION
ROLLINSFORD Unnamed Wetland

2011-00843 TOWN OF HANCOCK
HANCOCK Unnamed Stream

2011-00844 **NH DEPT OF TRANSPORTATION**
FITZWILLIAM **Unnamed Wetland Unnamed Stream**

2011-00845 **TOWN OF MOULTONBOROUGH**
MOULTONBOROUGH **Unnamed Wetland**

2011-00846 **TOWN OF AMHERST**
AMHERST **Unnamed Wetland**

2011-00847 **TOWN OF AMHERST**
AMHERST **Unnamed Wetland**

2011-00848 **TOWN OF AMHERST**
AMHERST **Unnamed Wetland**

PERMIT BY NOTIFICATION

2011-00786 **ROUSSET, ALAIN & NANCY**
LACONIA **Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration and repair of existing retaining wall in kind.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration and repair of existing retaining wall in kind.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-00796 LERNER, LORI
BRIDGEWATER Newfound Lake

Requested Action:

Install a 6 ft x 36 ft seasonal dock on Newfound Lake, Bridgewater.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Install a 6 ft x 36 ft seasonal dock on Newfound Lake, Bridgewater.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.

2011-00802 MILLS, SUSAN
SUNAPEE Lake Sunapee

Requested Action:

Install permanent structure lakeward adjacent to docking structure.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN DISQUALIFIED:

Install permanent structure lakeward adjacent to docking structure.

With Findings:

Applicant proposes to construct a permanent structure lakeward of full lake elevation adjacent to a major docking facility, this would require Governor and Council approval, this exceeds the criteria for Permit by Notification applications pursuant to Env-Wt 506.01, therefore the PBN is disqualified.

CSPA PERMIT

2010-03386 PRIMROSE REALTY TRUST
MEREDITH Lake Winnepesaukee

Requested Action:

Approve name change to: Primrose Realty Trust, PO Box 1579, Meredith, NH 03253. Previous owner: Kenneth/Marion Wood, 169 DW Highway, Meredith, NH 03386.

APPROVE NAME CHANGE:

Impact 5,645 sq ft in order to remove structures and construct a new residence, permeable patio, modified driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated December 16, 2010 and received by the NH Department of Environmental Services (DES) on December 17, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 26.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wq 1406.18.

2011-00561 GALFETTI, KRISTEN
RINDGE Contoocook River

Requested Action:

Impact 10,262 sq ft in order to construct a new foundation for primary structure, add a garage and install a new septic system.

APPROVE PERMIT:

Impact 10,262 sq ft in order to construct a new foundation for primary structure, add a garage and install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Sandford Surveying and Engineering dated January 4, 2011 and received by the NH Department of Environmental Services (DES) on March 22, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 5,028 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00576 TAYLOR, ABIGAIL/JOHN
RYE Tidal Marsh Of Atlantic Ocean

Requested Action:

Impact 6,735 sq ft for the purpose of expanding an existing, conforming primary structure, constructing a new barn and installing a new septic system.

Conservation Commission/Staff Comments:

APPROVE PERMIT:

Impact 6,735 sq ft for the purpose of expanding an existing, conforming primary structure, constructing a new barn and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by MSC Civil Engineers and Land Surveyors, Inc. dated March 7, 2011, and received by the Department of Environmental Services ("DES") on March 23, 2011.
2. No more than 12.7% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for proposed impacts within the tidal buffer zone.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 11,062 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00618 CITY OF DOVER
DOVER Cocheco River

Requested Action:

Impact 3,200 sq ft in order to excavate and fill existing road to install a sewer conveyance line.

APPROVE PERMIT:

Impact 3,200 sq ft in order to excavate and fill existing road to install a sewer conveyance line.

With Conditions:

1. All work shall be in accordance with plans by Wright-Pierce dated January 1, 2011 and received by the NH Department of Environmental Services (DES) on March 28, 2011.
2. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00636 BARDEN, MICHAEL
GRAFTON Kilton Pond

Requested Action:

Impact 900 sq ft in order to construct a stonewall.

APPROVE PERMIT:

Impact 900 sq ft in order to construct a stonewall.

With Conditions:

1. All work shall be in accordance with plans by Michael Barden dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March 29, 2011.
2. No more than 9.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 8,000 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00643 CONNELLY, BRIAN
GILFORD Winnepesaukee River

Requested Action:

AMENDMENT DESCRIPTION: Revised submitted March 20, 2011 Steven J. Smith & Associates, Inc. to increase breezeway and sidewalks approximately 94 sq ft.

Impact 3,021 sq ft in order to add second story to house and construct a new breezeway with an attached garage.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised submitted March 20, 2011 Steven J. Smith & Associates, Inc. to increase breezeway and sidewalks approximately 94 sq ft.

Impact 3,021 sq ft in order to add second story to house and construct a new breezeway with an attached garage.

With Conditions:

1. All work shall be in accordance with revised plans by Steven J. Smith & Associates dated March 20, 2011 and received by the NH Department of Environmental Services (DES) on April 21, 2011.
2. No more than 17.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,606 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00655 BURBANK, CLAUDETTE/RICHARD
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 608 sq ft in order to construct an addition to house, add a deck and replace pavement with pervious pavers.

APPROVE PERMIT:

Impact 608 sq ft in order to construct an addition to house, add a deck and replace pavement with pervious pavers.

With Conditions:

1. All work shall be in accordance with plans by Pollock Land Planning LLC dated March 23, 2011 and received by the NH Department of Environmental Services (DES) on March 31, 2011.
2. No more than 14.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,480 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00699 CARLEY, ADAM/PATRICIA
WINDHAM Cobbett's Pond

Requested Action:

Impact 2,795 sq ft for the purpose of replacing a nonconforming structure in lind and installing stormwater controls.

APPROVE PERMIT:

Impact 2,795 sq ft for the purpose of replacing a nonconforming structure in lind and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering dated March 3, 2011 and received by the Department of Environmental Services ("DES") on April 6, 2011.
2. No more than 37.1% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2011-00711 ANDROSCOGGIN VALLEY REGIONAL DISPOSAL DISTRICT
BERLIN Androscoggin River

Requested Action:

Impact 5,851 sq ft in order to construct a leachate sewer.

APPROVE PERMIT:

Impact 5,851 sq ft in order to construct a leachate sewer.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated April 1, 2011 and received by the NH Department of Environmental Services (DES) on April 7, 2011.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00721 MITCHELL, THOMAS & LORRAINE
ALTON Sunset Lake

Requested Action:

Impact 4,106 sq ft for the purpose of constructing a new nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 4,106 sq ft for the purpose of constructing a new nonconforming primary structure and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC, dated March 10, 2011, and received by the Department of Environmental Services ("DES") on April 8, 2011.
2. No more than 12.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 3,720 sq ft of unaltered area between 50 ft and 150 ft of the reference line must remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

2011-00730 NORTHEAST DEVELOPERS LLC
ALTON BAY Lake Winnepesaukee

Requested Action:

Impact 10,618 sq ft (8,025 sq ft permanent impacts; 2,593 sq ft temporary impacts) for the purpose of razing a non-conforming structure and constructing a new primary structure outside the 50 ft waterfront buffer, installing a new septic system, new well, retaining wall, and porous patios and walkways.

APPROVE PERMIT:

Impact 10,618 sq ft (8,025 sq ft permanent impacts; 2,593 sq ft temporary impacts) for the purpose of razing a non-conforming structure and constructing a new primary structure outside the 50 ft waterfront buffer, installing a new septic system, new well, retaining wall, and porous patios and walkways.

With Conditions:

1. All work shall be in accordance with plans by Steven J. Smith & Associates, Inc. dated February 18, 2011 and received by the NH Department of Environmental Services (DES) on April 11, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 4,128 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,857 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00733 NORTHEAST DEVELOPERS LLC
ALTON BAY Lake Winnepesaukee

Requested Action:

Impact 8,386 sq ft for the purpose of constructing a primary structure, attached garage, septic system, driveway, patio, porous walkway, and associated impacts.

APPROVE PERMIT:

Impact 8,386 sq ft for the purpose of constructing a primary structure, attached garage, septic system, driveway, patio, porous walkway, and associated impacts.

With Conditions:

1. All work shall be in accordance with plans by Steven J. Smith & Associates, Inc. dated February 18, 2011 and received by the NH Department of Environmental Services (DES) on April 11, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 14.23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 4,646 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,906 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00756 LIBBY MUSEUM
WOLFEBORO Mirror Lake

Requested Action:

Impact 675 sq ft in order to expand existing sidewalk, construct a garden and add a fieldstone pathway.

APPROVE PERMIT:

Impact 675 sq ft in order to expand existing sidewalk, construct a garden and add a fieldstone pathway.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated March 31, 2011 and received by the NH Department of Environmental Services (DES) on April 13, 2011.
2. No more than 29.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00770 GANNON, MICHAEL
WOODSVILLE Mountain Lake

Requested Action:

Impact 7,200 sq ft in order to demolish existing structure and rebuild a new structure with deck.

APPROVE PERMIT:

Impact 7,200 sq ft in order to demolish existing structure and rebuild a new structure with deck.

With Conditions:

1. All work shall be in accordance with plans by Harry J. Burgess dated November 1, 2010 and received by the NH Department of Environmental Services (DES) on April 14, 2011.
2. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00816 YOUNG, HAROLD
BELMONT Winnisquam Lake

Requested Action:

Impact 240 sq ft in order to construct a 12ft x 20ft shed.

APPROVE PERMIT:

Impact 240 sq ft in order to construct a 12ft x 20ft shed.

With Conditions:

1. All work shall be in accordance with plans by Harold Young dated April 19, 2011 and received by the NH Department of Environmental Services (DES) on April 19, 2011.
2. No more than 24% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

